

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PETITION FOR WRIT OF HABEAS CORPUS  
(28 U.S.C. §2254 - PERSONS IN STATE CUSTODY)

Anderson, Reginald, PETITIONER  
(Full name) (Include name under which you were convicted)

vs.

CASE NO. 05-190 E  
(Supplied by the Court)

\_\_\_\_\_, RESPONDENT  
(Name of Warden, Superintendent, Jailor, or authorized  
person having custody of petitioner)

and

THE DISTRICT ATTORNEY OF THE COUNTY OF Erie

and

THE ATTORNEY GENERAL OF THE STATE OF Pennsylvania

ADDITIONAL RESPONDENT

Name

Eb-7303  
Prison Number

Huntingdon, Pa  
Place of Confinement

(If petitioner is attacking a state court judgment which imposed a sentence to be served in the future, petitioner must fill in the name of the state where the judgment was entered. If petitioner has a sentence to be served in the future under a federal judgment which he wishes to attack, he should file a motion under 28 U.S.C. §2255, in the federal court which entered the judgment. DO NOT USE THIS FORM FOR §2255 PURPOSES.)

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

INSTRUCTIONS - READ CAREFULLY

(1) This petition must be legibly handwritten or typewritten and signed by the petitioner. Any false statement of a material fact in this petition or in a motion for leave to proceed in forma pauperis may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper

PETITION

1. Name and location of court which entered the judgment under attack: Eric County Court  
142 West 6th St Erie Pennsylvania 16501
2. Criminal Docket Number: \_\_\_\_\_
3. Date of imposition of sentence: \_\_\_\_\_
4. Length of sentence: \_\_\_\_\_
5. Nature of offense or offenses for which you were convicted: \_\_\_\_\_
6. What was your plea? (Check one) Not Guilty ( ) Guilty ( )  
Nolo Contendere ( )  
If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details: \_\_\_\_\_
7. If you were found guilty after a plea of not guilty, check whether finding was made by: Jury ☒ Judge only ( )
8. Did you testify at the trial? Yes ( ☒ ) No ( )
9. Did you appeal from the judgment of conviction? Yes ( ) No ( )
10. If you did appeal, answer the following:
  - (a) First Appeal
    - (1) Name of Court: \_\_\_\_\_
    - (2) Docket Number: \_\_\_\_\_
    - (3) Result: \_\_\_\_\_
    - (4) Citation (If known): \_\_\_\_\_
  - (b) Second Appeal
    - (1) Name of Court: \_\_\_\_\_
    - (2) Docket Number: \_\_\_\_\_
    - (3) Result: \_\_\_\_\_
    - (4) Citation (If known): \_\_\_\_\_
  - (c) If you filed a petition for certiorari in the United States Supreme Court, give details: \_\_\_\_\_
11. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, appli-

cations, or motions with respect to this judgment in any court, state or federal, including petitions under the Post Conviction Hearing Act? Yes ( ) No ( )

12. If your answer is "Yes" to 11, give the following information:

- (1) Name of court: \_\_\_\_\_
- (2) Nature of proceeding: \_\_\_\_\_
- (3) Grounds raised: \_\_\_\_\_

(4) Did you receive an evidentiary hearing on your petition, application or motion? Yes ( ) No ( )

(5) Result: \_\_\_\_\_ Date: \_\_\_\_\_

(b) As to any second petition, application or motion give the same information:

- (1) Name of Court: \_\_\_\_\_
- (2) Nature of Proceeding: \_\_\_\_\_
- (3) Grounds raised: \_\_\_\_\_

(4) Did you receive an evidentiary hearing on your petition, application or motion? Yes ( ) No ( )

(5) Result: \_\_\_\_\_ Date: \_\_\_\_\_

(c) As to any third petition, application or motion give the same information:

- (1) Name of Court: \_\_\_\_\_
- (2) Nature of Proceeding: \_\_\_\_\_
- (3) Grounds raised: \_\_\_\_\_

(4) Did you receive an evidentiary hearing on your petition, application or motion? Yes ( ) No ( )

(5) Result: \_\_\_\_\_ Date: \_\_\_\_\_

(d) Did you appeal to the highest state court having jurisdiction the result of any action on any petition, application or motion:

(1) First petition, etc.: Yes ( ) No ( )

(2) Second petition, etc.: Yes ( ) No ( )

(3) Third petition, etc.: Yes ( ) No ( )

(e) If you did not appeal from the adverse action on any petition, application or motion, explain briefly why you did not? \_\_\_\_\_

13. State concisely every ground on which you claim that you are being held unlawfully. State specifically the facts supporting each ground. You should raise in this petition all available grounds (relating to this conviction) on which you are being held in custody unlawfully, and you should state all the facts sufficient to support each ground. DO SO NOW; because of recent changes in the law you may not be given an opportunity to amend your petition later (See instructions, number 7.).

Grounds: Shclup v. Delo

14. If any of the grounds listed were not previously presented in any other court, state or federal, state briefly what grounds were not so presented, and give your reasons for not presenting them: \_\_\_\_\_

15. Do you have any petition or appeal now pending in any court, either state or federal, as to the judgment under attack?  
Yes ( ) No ( )

16. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing: Christine Konzel

(b) At arraignment and plea: Christine Konzel

(c) At trial: Christine Konzel

(d) At sentencing: Christine Konzel

- (e) On appeal: \_\_\_\_\_
- (f) In any post-conviction proceeding: \_\_\_\_\_
- (g) On appeal from any adverse ruling in a post-conviction proceeding: \_\_\_\_\_

17. Were you sentenced on more than one count of any indictment, or more than one indictment, in the same court and at the same time: Yes ( ) No ( )
18. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?  
Yes ( ) No ( )
- (a) If so, give name and location of court which imposed sentence to be served in the future: \_\_\_\_\_
- (b) And give date and length of sentence to be served in the future: \_\_\_\_\_
- (c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future? Yes ( ) No ( )

Wherefore, petition prays that the court grant petitioner relief to which he may be entitled in this proceeding.

Executed at: \_\_\_\_\_  
(City, County, State)

I, \_\_\_\_\_ declare under penalty of perjury that the foregoing is true and correct.

Executed on: \_\_\_\_\_  
(Date)

  
(Signature of Petitioner)

(NOTE: No Notary Certification Required)

Hi Clerk,  
Mistakes has U.S. in  
the war on Terror

EB 7303  
Anderson